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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD-05-97-004]

RIN 2115-AE46

Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, VA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending permanent special local regulations for the Crawford Bay Crew Classic, a marine event held annually in the Southern Branch, Elizabeth River, Portsmouth, Virginia, by changing the dates on which the regulations are in effect. This rule updates the regulation in order to enhance the safety of life and property during the event.

DATES: This final rule is effective on April 25, 1997.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Project Manager, Search and Rescue Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory History

On February 21, 1997, the Coast Guard published a notice of proposed rulemaking entitled Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, Virginia, in the **Federal Register** (62 FR 7970). The Coast Guard received no comments on the proposed rulemaking. No public hearing was requested, and none was held.

Ports Events, Inc., the sponsor of the Crawford Bay Crew Classic, requested to change the dates of this annual event from the third Friday and Saturday in March to the fourth Friday and Saturday in April to conduct the event in warmer weather conditions. To enhance the safety of participants, spectators, and transiting vessels, special local regulations are necessary to control vessel traffic during the event. This rule updates the regulations to reflect the new dates of the event.

Discussion of Comments and Changes

The Coast Guard received no comments on the proposed rulemaking.

Therefore, the proposed rule is being implemented without change.

Good Cause Statement

This final rule is effective in less than 30 days because it is contrary to the public interest to delay the effective date because action is required to protect vessel traffic and event participants during the event.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule merely changes the effective date of an existing regulation and does not impose any new restrictions on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). This rule does not impose any new restrictions on vessel traffic, but merely changes effective dates of a regulation. Therefore, the Coast Guard certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications

to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; 27 March 1996), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

2. Section 100.523 is amended by revising paragraph (c) to read as follows:

§ 100.523 Southern Branch, Elizabeth River, Portsmouth, Virginia.

* * * * *

(c) *Effective periods.* This regulation will be effective on the fourth Friday of April and on the fourth Saturday of April, unless otherwise specified in the Coast Guard Local Notice to Mariners and a **Federal Register** notice.

Dated: April 11, 1997.

Kent H. Williams,
Vice Admiral, U.S. Coast Guard, Commander
Fifth Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD05-97-011]

RIN 2115-AA97

Safety Zone; Potomac River, Point Lookout to Hull Neck

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone across the mouth of the Potomac River. The safety zone is more specifically defined as that portion of the Potomac River included within a boundary